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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA)	CASE NO. CR 15-00409 WHA
)	
14 v.)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME FROM OTHERWISE
15 LESLIE JAMES MCNEAL,)	APPLICABLE SPEEDY TRIAL ACT
)	CALCULATION
16 Defendant.)	
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18 **STIPULATION**

19 IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

20 1. The parties appeared before the Court on February 2, 2016 at 2:00 p.m. for a status
21 hearing. Mr. McNeal was present and in custody and represented by Kenneth Wine. Assistant United
22 States Attorney Michael Maffei appeared for the Government. The parties agreed to stipulate to a
23 continuance of the matter, with time excluded for effective preparation of counsel, to allow defense
24 counsel to review the discovery provided by the government.

25 2. Accordingly, with the parties' agreement as to the new date, the Court scheduled a
26 change of plea or trial setting date for March 1, 2016 at 2:00 p.m., with the understanding that the parties
27 would submit a Stipulation and Proposed Order excluding time.

28 3. The parties now formalize their request for a continuance of this matter to March 1, 2016

at 2:00 p.m. for a change of plea or trial setting, and respectfully submit and agree that the period from February 2, 2016 through and including March 1, 2016 should be excluded from the otherwise applicable Speedy Trial Act computation because the continuance is necessary for effective preparation of counsel, taking into account the exercise of due diligence. Specifically, the time requested for exclusion will allow Mr. McNeal's newly appointed attorney to review the discovery in this case.

IT IS SO STIPULATED.

DATED: February 2, 2016

BRIAN J. STRETCH
Acting United States Attorney

/s/
MICHAEL MAFFEI
Assistant United States Attorney

DATED: February 2, 2016

/s/
KENNETH WINE
Counsel for the Defendant

[PROPOSED] ORDER

Based upon the above-described Stipulation, THE COURT FINDS THAT the ends of justice served by granting a continuance from February 2, 2016 through and including March 1, 2016 outweigh the best interest of the public and the defendant in a speedy trial, and that failure to grant such a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

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1 Accordingly, THE COURT ORDERS THAT:

2 1. The parties shall appear before the Court on March 1, 2016 at 2:00 p.m. for a change of
3 plea or trial setting.

4 2. The period from February 2, 2016 through and including March 1, 2016 is excluded from
5 the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) &
6 (B)(iv).

7 IT IS SO ORDERED.

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9 DATED: February 8, 2016.


HON. WILLIAM ALSUP
United States District Judge